



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Coppinger, et al.	Docket No.:	35071.00004
Application No.:	09/779,713	Group Art Unit:	2681
Filing Date:	February 8, 2001	Examiner:	Not Yet Assigned
TITLE	COMMUNICATION SYSTEMS, COMPONENTS, AND METHODS OPERATIVE WITH PROGRAMMABLE WIRELESS DEVICES		

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO
37 C.F.R. §§1.97-1.98**

Commissioner for Patents
Washington, DC 20231

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO-1449. One copy of each cited document is submitted herewith. The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute any of the listed documents as prior art during examination. Further, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed before the mailing of the first Office Action on the merits. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.



REMARKS

The following remarks particularly point out how the invention of each pending claim (i.e., 1-34, 36-53, 55-66, 69-74, 82-85, and 87-93) is patentable over the references cited by the Search Authority in the International Search Report mailed March 26, 2002. Pending claims 1, 24, 32, 36, 41, 47, 59, 69, 70, 72, 82, and 87 are independent. The search report includes references submitted to the USPTO as follows:

Reference cited in Search Report	Date PTO 1449 Citing This Reference Was Filed By Applicant	Search Authority's Remarks On Relevancy For Novelty Or Nonobviousness As To Pending Independent Claims
WO 96 27270 to <i>Henry</i>	January 18, 2002	1, 36, 41, 59, 69, and 87
WO 98 38820 to <i>Hansson</i>	January 18, 2002	1, 59, 69, and 87
US 5,896,566 to <i>Averbuch</i>	January 18, 2002	1, 24, 69, and 87
US 5,986,565 to <i>Isaka</i>	filed herewith	none
EP 0 875 871 to <i>Schmitz</i>	filed herewith	none
NL 1 007 409 to <i>Groningen</i>	filed herewith	none
US 6,012,144 to <i>Pickett</i>	filed herewith	none
US 5,754,954 to <i>Cannon</i>	January 18, 2002	none
JP 09219085 to <i>Isaka</i>	filed herewith	none

The Search Report is silent as to any references relevant to the novelty or nonobviousness of independent claims 32, 47, 70, and 72.

To be patentable over the references, it is sufficient that each claim be definite, novel, and nonobvious. Rejection for indefiniteness is not properly based on cited references. Therefore, Applicant herein points out how the claimed invention is novel and nonobvious over the references.

A claim is novel over a reference, *inter alia*, when only one limitation of the claim is absent from that reference. By pointing out only one limitation, Applicant satisfies the obligation to point out how the claimed invention is novel, takes no position as to other

limitations that may also be absent from the reference, and avoids unnecessary cumulative argument.

A claim is nonobvious over a group of cited references that together teach all of the limitations of the claim, *inter alia*, when there is no suggestion to combine the teachings of the references. If no group of references can be identified that together teach all of the limitations of the claim, then the claim is nonobvious over the references. For example, when Applicant identifies one limitation that is absent from each and every reference and that limitation cannot reasonably be implied from what the references teach, then Applicant has satisfied the obligation to point out how the claimed invention is nonobvious, takes no position as to other limitations that may also be absent from one or more of the references, and avoids unnecessary cumulative argument.

When an independent claim is found to be both novel and nonobvious as discussed above, all claims dependent from that independent claim are patentable for the same reasons that the parent independent claim was found to be patentable.

No art of record singly or in combination teaches or suggests the combination of limitations recited in each independent claim taken as a whole.

Claims 1, 24, 32, 47, 59, 69, 70, 72, and 87 recite systems and methods related to technology for a wireless device to perform an application program that supplies data to a business sector that controls utilization of the application program.

Claims 36, 41, and 82 recite methods of registration using a browser. U.S. Patent 6,008,737 to *Deluca* describes a communication system that controls utilization of software in a portable communication device, but does not teach or suggest, among other things, use of a browser. U.S. Patent 5,754,954 to *Cannon* describes a communication system wherein portable communication units request and receive operating and parametric information prior to receiving authorization for using the communication unit, but does not teach or suggest, among other things, registration using a browser.

Claim 1 is patentable over the references because it recites in part “a business sector for controlling utilization of an application program and for receiving application data” provided by a service sector “in accordance with communication with at least one wireless device” that executes “the application program in response to the business sector”. These limitations are absent from *Henry*, *Hansson*, and *Averbuch*. There is no basis for an obviousness rejection

because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Claim 24 recites in part a “server cooperating with the broadcast sector ... for ... providing application data to a provided business sector”. These limitations are absent from *Henry*, *Hansson*, and *Averbuch*. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Claim 36 recites in part “receiving second indicia of identification of an auxiliary device for use with the wireless device; and storing ... the second indicia ... in association with a unique account identifier, wherein the server is in communication with a provided browser, and at least one of the first indicia and the second indicia are received from the browser”. These limitations are absent from *Henry*, *Hansson*, and *Averbuch*. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Claim 41 recites in part “providing to the server via the browser indicia of device type ... invoking communication between the browser and the wireless device to obtain indicia of identification ... and storing at the server the indicia of identification in association with an account identifier”. These limitations are absent from *Henry*, *Hansson*, and *Averbuch*. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Claim 59 recites deployment of a distributed process application program in part as “publishing the first component to a plurality of wireless devices”, “publishing the second component to at least one application server”, and “rendering available for use the first component in each of the plurality of wireless devices.” These limitations are absent from *Henry*, *Hansson*, and *Averbuch*. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Claim 69 recites in part a method, for example as described with reference to FIG. 7, that includes “requesting execution of the selected application program by the selected wireless device”. These limitations are absent from *Henry*, *Hansson*, and *Averbuch*. As described in the

specification and drawing, this step may be performed, for example, by an operator of the business sector. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Claim 82 recites in part “sending a request for registration ... and sending indicia of an identification of the wireless device ... for storing ... in association with the account”; “receiving software”; and “determining the indicia of identification in accordance with the software”. These limitations are absent from *Henry, Hansson*, and *Averbuch*. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

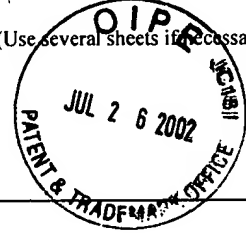
Claim 87 recites in part “sending a third message ... for enabling use of the wireless network by the wireless device for performing part of the distributed processing application program”. There is no distributed processing application program disclosed in *Henry, Hansson*, and *Averbuch*. There is no basis for an obviousness rejection because no group of references can be identified that together teach all of the limitations of the claim. There is no suggestion to combine references to arrive at the claimed invention.

Respectfully submitted,

7-26-02
Date

By William R. Bachand
William R. Bachand
Reg. No. 34,980

SQUIRE, SANDERS & DEMPSEY L.L.P.
Two Renaissance Square
40 North Central Avenue, Suite 2700
Phoenix, Arizona 85004-4498
(602) 528-4100

Form PTO-1449 (REV. 8-83)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 35071.00004		APPLICATION NO. 09/779,713		
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) 				APPLICANT Coppinger, et al.				
				FILING DATE February 8, 2001		GROUP 2681		
				TITLE COMMUNICATION SYSTEMS, COMPONENTS, AND METHODS OPERATIVE WITH PROGRAMMABLE WIRELESS DEVICES				
U. S. PATENT DOCUMENTS								
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
a		5,986,565	11-16-99	Isaka				
		6,012,144	01-04-00	Pickett				
		6,078,908	06-20-00	Schmitz				
		6,198,941	03-06-01	Aho				
	a	6,327,355	12-04-01	Britt				
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
a		1007409 ✓	2 Feb 1998	The Netherlands			Yes	
		EP 0875871A2 ✓	16 Jan 1998	Germany			U.S. 6,078,908	
		09219085 ✓	29 Jul 1997	Japan			U.S. 5,986,565	
a		WO 00/05670	3 Feb 2000	PCT				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
EXAMINER				DATE CONSIDERED				
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								